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JUN 15 2010

James v. Lilly  
Kagan Binder, PLLC  
221 Main St. North, Suite 200  
Stillwater, MN 55082

Re: Patent Term Extension  
Application for  
U.S. Patent No. 5,336,263

**WITHDRAWAL OF APPLICATION FOR PATENT TERM EXTENSION**

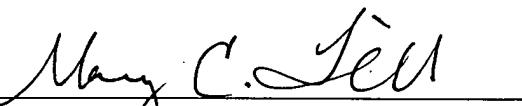
This is in response to the "Communication in Response to the Requirement for Election" in U.S. Patent No. 5,571,182 which was filed pursuant to the requirement for election under 37 C.F.R. § 1.785. The present application for patent term extension, U.S. Patent No. 5,336,263, is withdrawn by the express election of U.S. Patent No. 5,571,182 to receive the certificate of extension for the regulatory review period associated with the medical device Macroplastique® Implants, PMA No. P040050.

Any correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Hatch-Waxman PTE  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX: (571) 273-0100

Telephone inquiries related to this determination should be directed to the undersigned at (571) 272-7755. E-mail inquiries should be directed to [mary.till@uspto.gov](mailto:mary.till@uspto.gov).

  
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Mary C. Till  
Legal Advisor  
Office of Patent Legal Administration  
Office of the Associate Commissioner  
for Patent Examination Policy

cc: Office of Regulatory Policy  
Food and Drug Administration  
10903 New Hampshire Ave., Bldg. 51, Rm. 6222  
Silver Spring, MD 20993-0002

RE: Macroplastique® Implants  
Docket No.: FDA-2008-E-0099

Attention: Beverly Friedman